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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION  
13

14 UNITED STATES OF AMERICA,	)	CASE NO. CR 13 – MJ – 70065 MAG
	)	
15 Plaintiff,	)	STIPULATION AND <del>PROPOSED</del> ORDER
	)	
16 v.	)	
	)	
17 WALTER SKINNER,	)	
	)	
18 Defendant.	)	
	)	
19	)	
20	)	

21 Defendant Walter Skinner and the United States hereby stipulate and mutually agree that the  
22 status hearing as to the defendant's evaluation for possible diversion, currently scheduled for Thursday,  
23 October 17, 2013, at 10:30 a.m., should be continued to Monday, October 28, 2013, at 8:30 a.m., to  
24 permit the parties to review the initial report from Pretrial Services.

25 Accordingly, the parties further stipulate that the time from October 17, 2013, through and  
26 including October 28, 2013, may be excluded from the computation of time within which an information  
27 or indictment shall be filed under the Speedy Trial Act, in order to ensure the reasonable time necessary  
28 for effective preparation, pursuant to Title 18, United States Code Section 3161(b), (h)(7)(A),

1 (h)(7)(B)(iv), as well as a mutual stipulation to waive time for an indictment or preliminary hearing,  
2 pursuant to Rule 5.1 of the Federal Rules of Criminal Procedure, up to and including July 9, 2013, based  
3 on the need for effective preparation of counsel as well as the defendant's evaluation for diversion.

4 **IT IS SO STIPULATED.**

5 Dated: October 17, 2013

6  
7 /s/\_\_\_\_\_  
TIMOTHY LUCEY  
8 Assistant United States Attorney

9 Dated: October 17, 2013

10 /s/\_\_\_\_\_  
11 CYNTHIA C. LIE  
Assistant Federal Public Defender

12 **IT IS SO ORDERED.**

13  
14 DATED: October 17, 2013

15   
16 HON. PAUL S. GREWAL  
United States Magistrate Judge